

Approved	by CEC Decision No 2688 of 8 August 2024
In force since	15 August 2024
Published in the Official Monitor of the Republic of Moldova	2024, No 355-357, Article 646

INSTRUCTION on remote digital voter identification

Chapter I. General Provisions

1. This Instruction sets out the procedure for remote voter identification using digital means (hereinafter – *voter identification*).

2. The purpose of this Instruction is to ensure the identification of voters who have previously registered online for voting by mail.

3. Voter identification is required for checking and confirming the Mail Voter Registration Application. If the voter cannot be identified remotely by digital means, the Mail Voter Registration Application shall be rejected under Article 17(6)a) of Law No 109/2024 on partial implementation of voting by mail.

4. For the purpose of this Instruction, the terms and expressions used herein shall have the following meaning:

mail voter pre-registration — the procedure by which voting Moldovan citizens express their intention to exercise their right to vote by mail;

human operator — authorized person within the electoral body responsible for identifying voters who registered for voting by mail.

5. Voter identification shall be done by checking their identity using non-human-operated automated verification means and human-operated verification means.

6. Voter identification using human-operated verification means shall only be done by authorized specially trained persons.

7. Voter verification shall use the ID presented in the attached photo, the comparison of photos and the information provided by the individual and/or retrieved from the State Register of Voters and the State Register of Population.

8. By pre-registering for voting by mail and confirming his/her registration statement the voter assumes responsibility for the accuracy and validity of the data provided by him/her and agrees to the processing of such data by the human operator for the purpose of organizing and conducting elections and/or referendums.

9. Information on citizens which is collected in the Mail Voter Registration Subsystem through the pre-registration procedure in the Pre-registration application represents personal data and shall be processed only by authorized persons within the electoral bodies under the personal data protection law.

10. The data collected through the pre-registration procedure shall be processed exclusively for the purpose of organizing and conducting elections. They shall be protected and shall not be disclosed to any government institution in the country or abroad, except as expressly stipulated by the law.

11. For the sake of text clarity and coherence and to avoid overloading the text with masculine/feminine doublets, the terms denoting functions as used in this Instruction shall have

the generic masculine form and an inclusive/nonsexist character.

Chapter II. Voter identification procedure

12. The voter identification procedure shall consist of the following successive steps:

- 12.1 Collection of identification data;
- 12.2 Verification of identification data;
- 12.3 Creation of the record file;
- 12.4 Result generation for remote identity verification.

13. Identification data shall be collected in the voter registration subsystem for postal voters by using a single-person electronic form. The procedure for postal voter pre-registration is described in the Regulation on the peculiarities of organizing and implementing voting by mail, as approved by the decision of the Central Election Commission.

14. The period for collecting identification data shall be the same as the period during which voters can pre-register online for voting by mail. This period shall begin from the date of when the decision on the date of holding elections is taken and shall end 45 days before the election date.

15. In case previous registration is cancelled and a re-registration for voting by mail is required within the time limit set out in paragraph 14, voter identification shall be done based on the last identification data collected.

16. During identity verification the electoral body may ask the voter to update all or part of the data in order to make identification possible. The data can be updated no later than 25 days before the election date.

17. To ensure voter identification, the pre-registration procedure for voting by mail shall require the following data:

- 17.1 state identification number of the individual (IDNP);
- 17.2 date of birth;
- 17.3 a photo of the voter's face with the ID confirming the right to vote (national ID of a Moldovan citizen or passport of a Moldovan citizen).

18. When the voter opens a pre-registration form for postal voting, automated verification means shall use the voter's state identification number (IDNP) and date of birth to identify him/her in the State Register of Voters, and only after that the registration steps can be taken.

19. The attached photo must contain the voter's face and ID (the personal data page). The face must be clear, fully visible, not covered by accessories, clearly distinguishable from the background and other objects, and the data in the ID must be easily read.

20. The voter identification process only accepts IDs provided for in Article 78(6) of the Electoral Code No 325/2022.

21. The email address and telephone number indicated by the voter during pre-registration for voting by mail shall be used as means of communication. The email address provided by the voter shall be used to send him/her the registration confirmation message and electoral information related to voting by mail.

22. The period of voter identification by human-operated verification means shall begin no later than the voting by mail registration deadline and shall end 25 days before the election date.

23. Operators within electoral bodies shall access voter identification data in the Mail Voter Registration Subsystem. To do this, they need to sign the Privacy Statement according to the model attached.

24. The operator shall check the voter's identity in the following way:

- 24.1 Make sure the face and ID in the attached photo match those in the State Register of Population;

24.2 Make sure the data in the photo with the ID are true and valid;

24.3 Ask the voter to update his/her information to make identification possible, as the case may be.

25. The voter's photo with ID shall not be accepted if the ID does not allow the identification of its holder, contains signs of alteration, lacks the legally required data or contains data that do not correspond to the official data, is outdated and not allows facial identification or, in the case of national ID, has expired.

26. Identity verification shall be done by comparing/matching facial signs on the photo attached by the voter with the photo on the ID in the attached photo and the most recent photo of the voter in the State Register of Population.

27. Voter identification shall be done in a single session without interruption. If information needs to be updated, the verification shall resume after the voter has provided updated information, but within the time limit provided for in paragraph 16.

28. Updated information for voter identification may be requested by the electoral body through the human operator if the data provided are false or incomplete or whenever there are doubts about their authenticity, timeliness or accuracy, in the following situations:

28.1 The attached photo does not contain the face and ID;

28.2 The face is covered, making identification impossible;

28.3 The person's face does not match the one in the ID and/or the one in the State Register of Population;

28.4 The data in the ID are not legible;

28.5 The ID is not one of those specified in Article 78(6) of the Electoral Code No 325/2022.

29. The request to update the information shall be made by a message sent to the voter's indicated email address with a direct link to the update page.

30. If the voter is requested to update the data after the information update deadline provided for in paragraph 16, the result of identity verification shall be generated using the existing information.

31. The data collected from each voter during the mail voter pre-registration procedure and the information update procedure, as well as identification results shall migrate to the voter record file from the Mail Voter Registration Subsystem.

32. The verification result shall be obtained after data collection and verification and shall be qualified as "successful" or "unsuccessful".

33. Voter identification shall be deemed successful if all of the following conditions have been met:

33.1 The ID in the attached photo is of the accepted type and the voter is its holder;

33.2 The face and ID in the attached photo match those in the State Register of Population.

34. Voter identification shall be deemed unsuccessful if the conditions of paragraph 33 have not been met or if the voter has not updated the information so as to eliminate the errors listed in paragraph 28, as requested by the electoral body, within the time limit provided for in paragraph 16.

35. The voter shall be notified of the verification result by a message sent to the voter's indicated email address explaining, as the case may be, the conditions that made the identification impossible.

_____ / _____ 20 ____
(*type of election*)

HUMAN OPERATOR PRIVACY STATEMENT

I, the undersigned _____, born on _____, holder of state identification number (IDNP) _____, having residence in _____, telephone _____, email _____, confirm that, based on the Order No _____ of the Central Election Commission's Chairperson, I am a human operator authorized to identify voters remotely using digital means in order to enable voting by mail.

I declare that I am aware of the provisions of the Law No 133/2011 on personal data protection and the Government Decision No 1123/2010 on approving the requirements for ensuring the security of personal data processed by personal data information systems.

For such purpose:

1) Personal data means any information relating to an identified or identifiable individual.

2) Processing of personal data means any operation or series of operations with data carried out by automatic or non-automatic means, such as collection, recording, organization, storage, adjustment or alteration, extraction, examination, use, disclosure by transmission, dissemination or otherwise, joining or combination, locking, deletion or destruction.

3) Data shall be processed in a proper manner and only for the purpose of identifying voters remotely by digital means and need to be accurate, adequate, pertinent and non-excessive and in accordance with the law.

4) As an operator I must make sure the data are kept confidential and I shall not disclose any data to third parties, extract them or copy them for any purpose other than the one prescribed.

5) When processing personal data, I must make the necessary efforts to protect personal data against unauthorized access, destruction, alteration, locking, copying, dissemination and other unlawful actions.

Following my approval as operator *I am committed* to fulfill my duties in an objective and fair manner, keep and process the received information in full confidentiality, use it solely for the purpose set forth by the law and the Instruction on remote digital voter identification as approved by the Central Election Commission's decision, and not disclose this information to third parties, including after the completion of my activity as operator.

I am aware that, should I violate the provisions of this Statement and the personal data protection law, I will be held liable under Article 74¹ "Processing of personal data in violation of the personal data protection law" of the Contravention Code of the Republic of Moldova No 218/2008.

(*signature*)